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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING POLICIES OF RACIAL DISCRIMINATION AND SEGREGATION AND OF APARTHEID, IN ALL COUNTRIES, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES: REPORT OF THE SUB-COMMISSION UNDER COMMISSION ON HUMAN RIGHTS RESOLUTION 8 (XXIII)

Written statement submitted by the International Federation of Human Rights, a non-governmental organization in consultative status (category II)

The Secretary-General has received the following communication, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[17 August 1995]

1. In its statement before the fifty-first session of the United Nations Commission on Human Rights, the International Federation of Human Rights (FIDH) and its affiliate member, the Committee for the Defence of Human Rights, expressed their deep concern at the stark violations of human rights in Bahrain. This was shared by some other international human rights organizations. After more than three months, the situation has worsened, producing grave consequences including killings, torture, arrests, unfair trials, arbitrary dismissals, political discrimination and the restriction of the freedom of expression. Citizens are exposed to individual and collective dangers, including epidemic pollution of the environment. Such a situation appeals for prompt action for the restoration of the Constitution and the Parliament in Bahrain, both abrogated by order of the Emir in August 1975,

leading to the termination of all features of democratic life. The constitutional vacuum permits the practice by the authorities of all forms of human rights violations and repression based on arbitrary and unconstitutional laws, such as extrajudicial killing and group penalties.

2. In less than a year, no fewer than 15 citizens were killed in different circumstances, including Mr. Hani Alwasty and Hani Khamis, both killed by police bullets during a peaceful demonstration, the child Akel Salman Al-Saffar who suffocated due to inhaling poisonous gas, Haj Mirza Ali Abdulrida, beaten savagely by the police leading to his death at the hospital and the youngster Saeed Abdul Rasul Al Iskafi, who died after a few days in detention during which he suffered torture and rape. This ignited angry protests in July in various parts of Bahrain, which were crushed by sheer force leading the youngster Husain Fahad Al Mukharek to be hit by a bullet and captured by the police. He has since disappeared.

3. Armed repression led to many injuries. Among the wounded were Mrs. Zainab Al-Rashed, who lost an eye while protecting her child, Mr. Mohamed Sadiq Al-Arab, whose rib was removed after being hit by a bullet, and Asma Al-Rashed, who was hit by a bullet and later hospitalized.

4. Private premises were intruded upon and many houses raided and looted, including of jewellery, cash and safes. Masked security elements broke into Mr. Saleh Mussa's house, beating his family savagely, including his wife and daughters. The father and sons were taken to prison and accused, with eight others, of killing police corporal Ibrahim Al-Saidi.

5. Many citizens, among them youth, women, children and the elderly, suffer the physical and mental consequences of torture. A young girl, Rida Awachi, was arrested, detained for three months and tortured. Since then she suffers hysterical fright, refusing to leave the house or even open the windows of her room. Another child, Ayat Abdul-Jabbar, was arrested at her school and allegedly mistreated in custody. But the most striking case is that of a girl (whose father would like to keep her name secret) who was taken into custody as a hostage by the security forces for her wanted brother; there she was raped after witnessing her father being beaten savagely. The girl was released, psychologically broken.

6. Since December 1994, thousands of people have been detained. While hundreds were released, some of them were rearrested and others arrested, most of whom were tortured and mistreated for offences which they did not commit. Hundreds have been subjected to unfair trials lacking judicial guarantees, where convictions were based on confessions made under torture. Some had been arrested before the offence was even committed while others were abroad at the time of the incident. Concerning the case of corporal Al-Saidi's homicide, there is evidence that the incident was due to family feuds. Protesters are being tried before the State Security Court whose verdicts are unappealable and whose proceedings are short of international standards. The exception had been the Al-Saidi case, which was tried before the Supreme Penal Court. Defence lawyers complain of being powerless in dealing with both judicial and security authorities.

7. The Government of Bahrain still refuses to allow representatives of the FIDH and other international organizations and parliamentarians interested in human rights to carry out independent investigations on the state of human rights in Bahrain, to attend some trials and to meet some detainees or their families. It is worth mentioning that the members of the Al-Khalifa ruling family (including the Ministers and Deputy Ministers of the Interior and of Justice, the head of the State Security Court and most of the judges of the Supreme Court) are the ones responsible for investigations and interrogations under torture and the trials before the courts. The independence of the judicial system is therefore repeatedly breached through outside interference and restrictions against the lawyers.

8. As a consequence of this situation, hundreds of Bahrainese and their families are forced to live in exile. While a few secured political or humanitarian asylum in Europe, North America and Australia, the majority have no base or documentation. While all of them suffer from being away from their homeland and families, a new generation of Bahrainese has been born and grown up away from their homeland. Several of the exiled who ventured to return to their homeland as a constitutional right were treated with threats and even physical harassment. All of them had to return into exile, some without any documents, some with identities as non-citizens and some with restricted Bahraini passports. Such treatment leads to despair and even suicide as was the case of Mr. Aziz Mashalla who committed suicide in Copenhagen after the refusal of authorities to allow his wife and six children to join him while he was waiting for refugee status to be granted.

9. Violence against women has become phenomenal. Several women were exposed to detention and torture. Some women were taken as hostages, tortured and mistreated until their relatives surrendered or were captured - exactly what happened to Malka Sangis and her mother Fatma Ashoor.

10. During March 1995, more than 300 women addressed a petition to the Emir, requesting him to intervene to restrain official violence against peaceful protesters and to resume constitutional and parliamentary life. All the signatories were pursued and threatened with dismissal unless they withdrew their signatures and wrote out a text dictated by the Ministry of the Interior. Among those who refused and were dismissed were Dr. Munira Fakhroo, assistant professor at the University of Bahrain, and Hosa Al-Khamiri, director of continuing education, in service for 30 years. The Bahraini women's associations were told that their representatives to the Fourth International Conference on Women in Beijing who signed the appeal were barred from participation, which violates their right to freedom of movement.

11. Although the State of Bahrain has signed and ratified the Convention on the Rights of the Child, its actions towards children during the events contravenes the Convention. Children witnessed their parents beaten, dragged, humiliated and arrested. In several cases, children were taken as hostages or haphazardly arrested and mistreated such as by being forced to drink brackish water.

12. The International Federation of Human Rights and the Committee for the Defence of Human Rights in Bahrain urge the State of Bahrain to take all appropriate measures to cease torture, deportation and arbitrary detention.

The organizations also urge the authorities of Bahrain to allow the free and open activities of the Committee for the Defence of Human Rights in Bahrain and other human rights organizations to monitor violations of human rights, to contribute to the defence of the victims and assist their families in Bahrain, and to disseminate human rights education among the citizens.

13. The International Federation of Human Rights and the Committee for the Defence of Human Rights in Bahrain asks the Sub-Commission on the Prevention of Discrimination and the Protection of Minorities to draw the Commission's attention to the situation in Bahrain according to resolution 8 (XXIII) of the Commission on Human Rights of 13 March 1967.